

5 December 1986

2 Houses Plan Special Panels On Arms Deals

By STEVEN V. ROBERTS

Special to The New York Times

WASHINGTON, Dec. 4 — Both houses of Congress will choose their own special committees to investigate the secret Iran arms dealing and the funneling of funds to the Nicaraguan rebels, Congressional leaders announced today.

However, there was still a partisan disagreement over timing. Senator Bob Dole of Kansas, the Republican leader, continued to press for an emergency session of Congress this month to establish the committees while he is still majority leader. He said in a statement that President Reagan would decide Friday whether to call such a session.

Senator Robert C. Byrd of West Virginia, who will become leader of the Democratic majority in the next Congress, strongly opposes a special session, as does Representative Jim Wright of Texas, who will become Speaker in the next Congress.

Seek to Avoid Confusion

If there is no special session, Congressional leaders say establishing the two panels will be the first order of business when the 100th Congress convenes Jan. 6.

The moves were made to avoid the confusion and conflict that could result from the many separate investigations already begun by committees in both chambers, the leaders said.

Representative Wright told reporters he had decided to name a special House panel in the interest of "orderly, deliberate procedures."

"We hope to achieve a complete and comprehensive record of the facts, so the information could be available in one place," Mr. Wright said.

No 'Circus Atmosphere'

Representative Robert H. Michel of Illinois, the Republican leader, added: "We did not want a circus atmosphere around here."

Congress has often used special committees to investigate highly complex or publicized matters. The most famous panel in recent years examined the Watergate scandal in 1973, but other select panels since then have studied the connection of President Carter's brother, Billy, to Libyan leaders, and the involvement of Congressmen in the Abscam scandal.

President Reagan expressed support for a unified Congressional investigation earlier this week. From the Administration's standpoint, a unified investigation would make its job of providing testimony and collecting information much easier than dealing with a group of committees.

While the plans for the unified committees are going forward, individual panels that have already started their work will continue their inquiries this month.

The Senate intelligence committee took four hours of testimony today from Robert M. Gates, deputy director of Central Intelligence, and the committee expanded its preliminary investigation for an additional week. "It's expanding because of the value of testimony we're getting from the witnesses," David F. Durenberger, the chairman, said.

Next week, Secretary of State George P. Shultz and Robert C. McFarlane, the former national security adviser, are scheduled to testify on the arms transactions before the House Foreign Affairs Committee.

Cabinet Level Officers

Senator Durenberger, a Minnesota Republican, said today that his committee had made "tentative decisions" to call Cabinet level officers.

"I said Cabinet level because there are other people at the N.S.C. that are involved," Mr. Durenberger said, referring to the National Security Council. "It doesn't include the President or Vice President. It includes everyone else."

He would not be more specific about what he meant by "involved."

The N.S.C. includes the director of Central Intelligence, Secretary of State, White House chief of staff, and chairman of the Joint Chiefs of Staff. The committee has thus far not called anyone not in a position to provide information.

Leaders discussed forming a single committee combining members from both houses, but that proposal proved too cumbersome. In addition, senior lawmakers in the House were worried

about preserving power and prerogatives on a committee that would probably be dominated by the Senate.

Such a joint committee, Mr. Wright said, would "create more problems than it would solve."

Dissenters End Objections

Some senior House committee chairmen objected to the whole idea of a unified panel and wanted to pursue their own investigations.

Earlier this week, Mr. Wright said these committees each had a "rightful claim" to jurisdiction over the Iran matter, but today he said that the dissenters had ended their objections and were now "singing from the same hymn book."

In the Senate, Mr. Byrd and Mr. Dole agreed on an 11-member committee, with 6 Democrats and 5 Republicans. In addition, two nonvoting members, one from each party, would have the right to participate in the panel's deliberations. These "ex-officio" members would probably be the two leaders.

Staff aides from both parties have already started drafting legislation to create the Senate committee, and the leaders agreed that the members would be announced no later than Dec. 15. The panel would have no authority to hire staff or issue subpoenas, however, until it is formally created by a Senate resolution.

Leaders Considered

A number of names have surfaced on Capitol Hill as possible candidates for the chairmanship of the Senate committee. They include Spowell Heflin of Alabama, a former state court judge;

George J. Mitchell of Maine, a former Federal judge; Sam Nunn of Georgia, the incoming chairman of the Armed Services Committee; David L. Boren of Oklahoma, a former governor and the new chairman of the Intelligence Committee, and Daniel K. Inouye of Hawaii, the third-ranking Democrat.

One Democratic strategist suggested that Mr. Byrd is likely to pick someone like the late Sam Ervin, the North Carolinian who presided over the Watergate panel. That would argue for a conservative Southerner with a broad legal background, a description that probably fits Mr. Heflin more closely than the others.

In the House, the committee will consist of 15 members, 9 Democrats and 6 Republicans. Five of the Democrats will be the chairmen of major committees with jurisdiction over segments of the Iran issue: Peter W. Rodino Jr. of New Jersey, Judiciary; Les Aspin of Wisconsin, Armed Services; Dante B. Fascell of Florida, Foreign Affairs; Jack Brooks of Texas, Government Operations; and Louis Stokes of Ohio, who will replace Lee H. Hamilton of Indiana as chairman of the Intelligence next month.

Mr. Hamilton, who commands wide respect within the House, is often mentioned as a possible chairman of the new select committee.

Mr. Michel said the senior Republicans on each of the five panels would probably also serve on the committee, but he had yet to sound them out. That would leave four Democrats and one Republican to be added by party leaders.